

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

In re GRAND JURY ) No. 06-163M  
INVESTIGATION 05-01 )

In re Material Witness: ) DETENTION ORDER  
 ) Material Witness  
JEUNG HYEON SHIN )

### Charge: Material Witness

Date of Detention Hearing: April 11, 2006

The Court, having conducted a detention hearing pursuant to 18 U.S.C. §§ 3142(f) and 3144, and based upon the factual findings and statement of reasons hereafter set forth, finds that detention is necessary to adequately secure the testimony of the material witness, and to prevent a failure of justice.

## **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

(1) Mr. Shin was arrested on a material witness warrant in a matter currently pending before the grand jury, upon a finding that he had material evidence to provide and that it was impracticable to secure his presence by subpoena. He made his initial appearance in this Court on April 11, 2006.

(2) The United States has moved to detain Mr. Shin pursuant to 18 U.S.C. § 3144 pending his appearance before the grand jury.

(3) There is an immigration detainer lodged against the witness.

01 (4) Defendant has stipulated to detention, but reserves the right to contest his  
02 continued detention if there is a change in circumstances.

03 (5) The material witness is viewed as a risk of nonappearance based on his unknown  
04 background information and lack of information about any ties to this community or to the  
05 Western District of Washington.

06 (6) The Court finds that further detention is necessary to prevent a failure of justice.  
07 The material witness will be detained until his testimony can adequately be secured.

08 It is therefore ORDERED:

09 (1) The material witness shall be detained pending the taking of his testimony and  
10 committed to the custody of the Attorney General for confinement in a correction  
11 facility separate, to the extent practicable, from persons awaiting or serving  
12 sentences or being held in custody pending appeal;

13 (2) The material witness shall be afforded reasonable opportunity for private  
14 consultation with counsel;

15 (3) On order of a court of the United States or on request of an attorney for the  
16 government, the person in charge of the corrections facility in which material  
17 witness is confined shall deliver the material witness to a United States Marshal  
18 for the purpose of an appearance in connection with a court proceeding or for  
19 providing testimony in connection with a case pending in this Court; and

20 (4) The Clerk shall direct copies of this Order to counsel for the United States,  
21 counsel for the material witness, the United States Marshal, and the United States  
22 Pretrial Services Officer.

23 DATED this 11th day of April, 2006.

24   
25 JAMES P. DONOHUE

26 United States Magistrate Judge